

Advisory Committee
November 16, 2015
Faculty Dining Room, Wellesley Middle School

Tom Frisardi called the meeting of the Wellesley Advisory Committee to order at 6:05pm. Those present included Mary Crown, Tom Fitzgibbons, Chad Harris, John Hartnett, Mike Hluchyj, Mark Kaplan, Michael Mastrianni, Frank Pinto, Alena Poirier, Sara Raveret, Mason Smith, Ria Stolle, Scott Tarbox, and Kathleen Woodward.

Citizen's Speak

No one wished to speak at this time.

Approval of Minutes

Kathleen Woodward noted that she would like a description of the discussion added to the minutes for the October 28th meeting. She would also like a link to the televised meeting included in the minutes. Tom Frisardi requested that the current draft of the minutes be approved (and posted on the town website), and Kathleen could submit an amendment to the 10/28 minutes to be approved at a later date. Sara Raveret noted that she had received a correction from Mike Hluchyj regarding the presenter of the NRC amendment: Lise Olney gave the presentation, not Stephen Murphy.

Mason Smith made a motion to approve the minutes as amended by Mike Hluchyj from October 28, 2015; the motion was seconded by John Hartnett and the minutes were approved unanimously by a show of hands.

Mason Smith made a motion to approve the minutes from November 10, 2015; the motion was seconded by John Hartnett and the minutes were approved unanimously by a show of hands.

Mason Smith made a motion to approve the minutes from November 12, 2015; the motion was seconded by Frank Pinto and the minutes were approved unanimously by a show of hands.

Discussion concerning motions under Articles 3 through 6 of the warrant for Special Town Meeting and proposed amendments thereto

Marla Robinson's Amendments to Warrant Article 3A

Move removal procedure for Town Manager from Special Act to Bylaws:

Marla Robinson explained that this amendment would give the town more flexibility to amend the removal procedures going forward. Advisory members noted that the committee has received conflicting information on whether the removal procedures need to be in the Special Act. Ann Marie Gross of the Town Government Study Committee (TGSC) noted that the majority of Special Acts include the removal procedures. Some Advisory members questioned whether moving the procedures to the bylaws could result in Town Meeting amending them while a Town Manager was in place. It was noted that the Town Manager's contract would include the removal procedures (whether they are in the Special Act or in the bylaws), so an amendment to the bylaws while the Town Manager was in office would not affect that existing contract for the Town Manager. One member noted that including the removal procedures in the Special Act "protects the Town Manager," while moving them to bylaws would "protect the town." Some Advisory members expressed frustration at the conflicting information the committee has received about whether the removal procedures need to be in the Special Act.

Place the Town Manager's contract in public venue:

Marla Robinson noted that the Town Manager's contract would be a public document, so posting it publicly should not be controversial. Ann Marie Gross agreed and said that the TGSC has no objection.

A Town Manager violating a criminal statute would be grounds for removal:

This amendment would specify that "any violation of a criminal statute [by the Town Manager] shall be deemed to be a reason for removal." It was noted that this language would be in the Town Manager's contract, so some members questioned whether this amendment is necessary.

An appointment of a Temporary Town Manager should be posted at Town Clerk's office:

Marla Robinson explained that this amendment would require the Town Manager to post an appointment of a Temporary Town Manager in the Town Clerk's office; she explained that all town staff/volunteers should be notified of any temporary appointments.

Staff for Advisory should not report to Town Manager:

Marla Robinson said that she was not planning to bring this amendment forward as the Advisory Committee does not see a need for it. The Advisory Committee currently has one administrative assistant who works limited hours; the Advisory Committee sees no problem with having its administrative assistant be within the town manager's control for compensation and reviews.

KC Kato's Amendment to Warrant Article 3A

KC Kato indicated via email to the Advisory Committee that she intended to propose an amendment to change the Town Meeting vote requirement on the Special Act from a "majority" to a "2/3 vote." However, Town Counsel advised her that this was not possible. She no longer plans to bring this amendment forward.

Laura Fragasso's Amendment to Warrant Article 3A

Laura Fragasso and Don MacCauley addressed the committee. Laura explained that the most recent version of her amendment would preserve the independence of the elected boards (her amendment no longer refers to the appointed boards). Her amendment would preserve the elected boards' independence and the volunteerism in Wellesley, while allowing for active participation of a Town Manager. The Town Manager's authority over the budgets as proposed by the TGSC would not be affected. She also noted that an elected board could delegate the authority of their director to the Town Manager. Ann Marie Gross noted that this amendment would not address the Human Resources issues the TGSC's proposals address. Tom Frisardi asked Laura to send the final version of the amendment to the Advisory Committee as soon as possible.

New business/old business

None was presented at this time.

The next Advisory Committee meeting will be on November 17th at 6:00pm in the Faculty Dining Room of the Wellesley Middle School.

Adjourn

Tom Frisardi adjourned the meeting at 6:55pm, recognizing that votes by the committee might need to be taken during the Special Town Meeting later in the evening. (No further action by the Advisory Committee was taken.)